

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TYREE SMITH, et al.)
)
)
v.) NO. 3-13-1444
) JUDGE CAMPBELL
C/O J. CHAMPACO, et al.)

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 147) and Objections filed by Plaintiff Tyree Smith in the form of a letter to the Magistrate Judge (Docket No. 166).

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved.

Plaintiff indicated in earlier correspondence that he understood his responsibilities concerning service. The Magistrate Judge warned Plaintiff that failure to comply with the Court's deadlines for service would result in a recommendation that Plaintiff's claims be dismissed.

Accordingly, Plaintiff Tyree Smith's claims against Defendants are DISMISSED without prejudice for failure to accomplish service in a timely manner. The case is referred to the Magistrate Judge for further proceedings with regard to the other Plaintiffs.

IT IS SO ORDERED.

Todd Campbell
TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE